

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

LINDSAY O'BRIEN QUARRIE,

Plaintiff,

v.

Civ. No. 23-546 MV/JFR

**BOARD OF REGENTS FOR NEW MEXICO
INSTITUTE OF MINING & TECHNOLOGY et al.,**

Defendants.

**ORDER OVERRULING OBJECTIONS AND ADOPTING THE MAGISTRATE
JUDGE'S PROPOSED FINDINGS AND RECOMMENDED DISPOSITION**

Magistrate Judge John F. Robbenhaar filed his Proposed Findings and Recommended Disposition ("PFRD") with respect to *Defendant Alisa Wigley-DeLara's Motion to Dismiss Pursuant to Fed R. Civ. P. 12(b)(6)* (Doc. 22) and her *Defendant Wigley-Delara's Motion to Dismiss in Violation of Rule 11 or, in the Alternative, to Strike Plaintiff's Certificates of Service* (Doc. 30) on November 29, 2023. Doc. 70. The PFRD notified the parties of their ability to file objections within 14 days, and that failure to do so waived appellate review. *Id.* at 11. Plaintiff timely objected to the PFRD on December 13, 2023, (Doc. 71) and Defendant Wigley-DeLara responded in opposition on December 14, 2023 (Doc. 72).


Magistrate Judge Robbenhaar filed his PFRD with respect to *Defendants the Board of Regents of the New Mexico Institute of Mining and Technology, Steven Wells, Daniel Lopez, and Aly El-Rosery's Motion to Dismiss* (Doc. 25) on January 25, 2024. Doc. 73. The PFRD notified the parties of their ability to file objections within 14 days, and that failure to do so waived appellate review. *Id.* at 30. Plaintiff timely objected to the PFRD on February 8, 2024. Doc. 74.

Pursuant to Fed. R. Civ. P. 72(b), the Court has conducted a de novo review of the record and all parts of both PFRDs entered by Magistrate Judge Robbenhaar that have been properly

objected to. After conducting this de novo review, and having thoroughly considered both of Magistrate Judge Robbenhaar's PFRDs and the objections thereto, the Court finds no reason to depart from the recommended dispositions.

IT IS THEREFORE ORDERED AS FOLLOWS:

1. Plaintiff's objections (Docs. 71, 74) are **OVERRULED**;
2. Magistrate Judge Robbenhaar's PFRDs (Docs. 70, 73) are **ADOPTED**;
3. *Defendant Alisa Wigley-DeLara's Motion to Dismiss Pursuant to Fed R. Civ. P. 12(b)(6)* (Doc. 22) is **GRANTED**;
4. *Defendant Alisa Wigley DeLara's Motion to Dismiss in Violation of Rule 11 or, in the Alternative, to Strike Plaintiff's Certificates of Service* (Doc. 30) is **DENIED AS MOOT**;
5. *Defendants the Board of Regents of the New Mexico Institute of Mining and Technology, Steven Wells, Daniel Lopez, and Aly El-Rosery's Motion to Dismiss* (Doc. 25) is **GRANTED**; and
6. Plaintiff's claims are **DISMISSED WITH PREJUDICE**.



MARTHA AZQUEZ
Senior United States District Judge